

REMARKS

In the Office Action mailed April 10, 2006, the specification was objected to due to typographical errors on page 10 and claims 1-29 were rejected under §103 as being unpatentable over Milillo et al. in view of Asselin et al., IBM Document GG24-3990-00 and Smith. In the present Response, paragraph [25] of the specification has been amended to correct the typographical errors.

The Applicant respectfully disagrees with the rejection of the claims and requests reconsideration. In accordance with the claimed invention (see for example independent claim 1), after a consistency group is formed and the primary PPRC volumes have been transferred to FlashCopy source volumes on a secondary PPRC unit, an attempt is made to prepare each FlashCopy source volume for a FlashCopy operation. The FlashCopy operation is then committed if the preparation of all FlashCopy source volumes is successful. However, if the preparation of any FlashCopy source volume is unsuccessful, the FlashCopy operation is reverted and the prior consistency group remains intact and uncorrupted.

None of the cited references disclose or even suggest reverting a FlashCopy operation. In fact, contrary to the interpretation proposed at the bottom of page 4 of the Office Action, Smith not only does not disclose reverting in the event of a partial failure but may actually proceed with the copy operation in many circumstances and repair the failure later (see, for example, column 5, lines 13-17; lines 22-25; lines 42-47). In other circumstances, the copy operation occurs but is determined to be a failure (see, for example, column 4, lines 46-51; column 5, lines 30-34). By contrast, the present invention prevents a FlashCopy operation from occurring at all in the event that one of the volumes has failed to prepare. No writes or transfers begin and reversion is a mechanism to allow the prior consistency group to be made available again. Again, none of the references disclose or suggest reverting and the Office Action points to no such disclosure. Not only does a combination of cited references fail to disclose all of the elements of the claimed invention (and therefore would not result in the claimed invention), but there is no teaching or suggestion in any of the references to make such

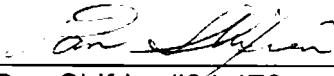
combination. Consequently, the claims are not rendered obvious by any combination of the cited references.

As substantially the same grounds for rejection were asserted against all of the independent claims 1, 9, 14 and 22, the foregoing comments apply equally to those claims. In addition, the Applicant respectfully asserts that the dependent claims are allowable based on the allowability of the respective independent claims.

For the foregoing reasons, the claims are believed to be allowable, the Application is believed to be in condition for allowance. The Applicant respectfully requests that the rejection be withdrawn and a favorable Office Action be issued. The Examiner is encouraged to contact the undersigned by telephone if a conversation would expedite prosecution of this case.

This constitutes a request for any needed extension of time. No fee is believed to be due in this instance. The undersigned hereby authorizes the charge of any deficiency of fees submitted herewith, or the credit of any overpayment, to deposit account number 09-0449.

Respectfully Submitted,



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cc: IBM - Tucson